

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA

§

VS.

§ CRIMINAL ACTION NO. B-09-1359

MATEO HERRERA-SUSTAITA

§

ORDER

BE IT REMEMBERED on this 17th day of February, 2010, the Court reviewed the file in the above-captioned matter and specifically the Report and Recommendation of the United States Magistrate Judge filed November 12, 2009, wherein the defendant Mateo Herrera-Sustaita waived appearance before this Court and appeared before the United States Magistrate Judge Felix Recio for the taking of a felony guilty plea and Federal Rule of Criminal Procedure Rule 11 Allocution. The magistrate judge recommends that the plea of guilty be accepted by the undersigned, and noting no opposition by defendant Mateo Herrera-Sustaita to the Report and Recommendation, the Court enters the following order:

IT IS ORDERED that the Report and Recommendation of the United States Magistrate Judge be and is hereby adopted. The Court finds the Defendant Mateo Herrera-Sustaita guilty of the offense of alien unlawfully found in the United States after deportation, having been convicted of a felony, in violation of 8 U.S.C. 1326(a) and 1326(b)(1).

Signed this 17th day of February, 2010.



Andrew S. Hanen
United States District Judge